



**Dean A. Lerner, Director**

**Hospitals Not Subject to Certain EMTALA Violations During Emergency**

DES MOINES, IOWA (June 16, 2008) - The Iowa Department of Inspections and Appeals (DIA) has been notified by the Kansas City Regional Office of the Centers for Medicare & Medicaid Services (CMS) that hospitals with dedicated emergency departments in those counties covered by the Presidential Disaster Declaration will not, during the emergency period, be subject to sanctions for Emergency Medical Treatment and Active Labor Act (EMTALA) violations resulting from:

- Redirecting individuals seeking medical screening examinations (MSEs), or
- Inappropriate transfers arising out of the circumstances of the emergency.

The waiver from sanctions is limited to a 72-hour period beginning no earlier than June 14, 2008 – the date the Secretary of Health and Human Services declared a public health emergency in Iowa, or the date the hospital activated its disaster protocol.

Hospitals within the declared disaster areas which may be subject to the waiver from EMTALA sanction must notify the Department by calling Mary Spracklin at (515) 281-0286 or (515) 669-6027, or by e-mail at [Mary.Spracklin@dia.iowa.gov](mailto:Mary.Spracklin@dia.iowa.gov).

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*EMTALA Waiver Hot Notice*